

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

EVAN GREEBEL,

Defendant.

S1 15 Cr. 637 (KAM)

**CONSENT MOTION FOR EXTENSION OF TIME TO RESPOND
TO WRIT OF CONTINUING GARNISHMENT**

The Court previously granted in relevant part Mr. Greebel's Consent Motion for Extension of Time to Respond to Writs of Continuing Garnishment so the parties could prepare a stipulation to hold garnishment proceedings in abeyance pending the resolution of Mr. Greebel's ongoing appeal by setting February 11, 2019, as Mr. Greebel's deadline to respond to the Writ directed to Merrill Lynch, Pierce, Fenner & Smith, Inc. ("Merrill Lynch"). *See* Dkt. No. 699; Dkt. Order of Dec. 19, 2018.¹ While Mr. Greebel's Consent Motion was pending, however, the Clerk also issued a new Writ for Continuing Garnishment directed to Charles Schwab Retirement Plan Services ("Schwab Retirement"). Dkt. No. 705.

Mr. Greebel respectfully requests that the time to respond to the Government's Writ of Continuing Garnishment directed to Schwab Retirement, Dkt. No. 705, be extended by thirty-four (34) days to February 11, 2019, which is the current deadline to respond to the Writ directed to Merrill Lynch. The Clerk issued the Writ on December 19, 2018, making Mr. Greebel's initial

¹ Mr. Greebel had also requested an extension with respect to a Writ directed to Charles Schwab & Co., Inc. The Writ was separately vacated at the government's request. Dkt. No. 706. Consistent with the vacation, the Court denied the Consent Motion as moot with respect to that writ. Dkt. Order of Dec. 19, 2018.

deadline January 8, 2019. At this time, Mr. Greebel does not request an extension of the deadline for responding to any answer that may be filed by Schwab Retirement.

The government consents to Mr. Greebel's requested extension. As noted in Mr. Greebel's previous Consent Motion, Mr. Greebel and the government intend to hold these garnishment proceedings in abeyance pending the resolution of Mr. Greebel's ongoing appeal, and they are in the process of preparing a stipulation to that effect. Dkt. No. 699. Although the parties have been working to finalize the stipulation, their efforts have been delayed by the holiday season and the federal government shutdown. Given that the intended stipulation will hold the garnishment proceedings in abeyance pending the outcome of his appeal, the government is not prejudiced by the requested extension. The Court granted a similar request for extension with respect to the Writ directed to Merrill Lynch, *see* Dkt. Order of Dec. 19, 2018, but no previous extension of the deadlines for the Writ directed at Schwab Retirement has been requested.

Dated: New York, New York
January 4, 2019

/s/ Reed Brodsky
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CERTIFICATE OF SERVICE

I, Reed Brodsky, hereby certify that a true and correct copy of the foregoing document was filed via the Court's ECF system and will be electronically served on all counsel of record.

Dated: January 4, 2019

/s/ Reed Brodsky

Reed Brodsky